


**AFFIDAVIT OF SEAN M. MYERS**  
**IN SUPPORT OF COMPLAINT FOR INJUNCTIVE RELIEF**

I, Sean M. Myers, J.D., being first duly sworn, deposes and says:

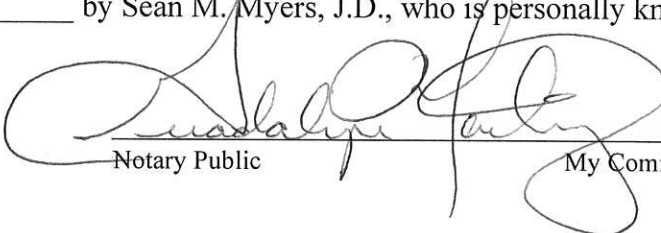
1. I am an adult of sound mind and body and am otherwise competent to testify to the allegations averred herein.
2. I make this affidavit based upon personal knowledge to which I could testify if called upon to do so.
3. I am a Citizen of the United States of America and the State of Michigan.
4. I am a registered voter in the Township of Berlin, County of Monroe, State of Michigan.
5. On June 25<sup>th</sup>, 2015, exercising my rights under Article II § 9 of the Constitution of Michigan of 1963 and the First Amendment to the United States Constitution, I signed a petition for the initiation of legislation to legalize and regulate marihuana in the State of Michigan, also known as the "MILegalize Petition." (See ATTACHMENT A).
6. On June 1, 2016, my signature was filed with the State of Michigan Board of Elections along with approximately 354,000 other signatures on 55,000 petition sheets.
7. 252,523 valid signatures were required to place the initiative on the ballot.
8. On June 9, 2016, the Board of Canvassers accepted a staff recommendation of the Board of Elections to deny the MILegalize Petition because MILegalize allegedly failed to submit enough signatures for ballot qualification due to more than 200,000 of the submitted signatures, including mine, being collected more than 180 days prior to submission based on a 1986 BOC policy.
9. I have learned through news stories and other sources that my signature was among those that were disqualified by the BOE and the BOC because I provided it more than 180 days before the submission of the signatures by MILegalize.
10. If I had re-signed the petition within the 180-day period prior to when the petition was filed with the BOE to ensure that my signature would be counted, I would have been guilty of violating election law.
11. If my signature, and the other 200,000 signatures that were collected more than 180 days prior to submission are not canvassed by the BOC, there is risk for immediate and irreparable injury because I will be deprived of the right to vote on this issue in the November General Election.
12. I also served as a circulator of the petitions and the actions of the defendants has resulted in the nullifying of my freedom of speech in regards thereto.

FURTHER AFFIANT SAITH NOT:

  
Sean M. Myers, J.D.

Date 9/8/16

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of 09, 2016, in the County of Wayne by Sean M. Myers, J.D., who is personally known to me and who did take an oath.

  
Notary Public 12/06/2020  
My Commission Expires

**GUADALUPE MARTINEZ**  
NOTARY PUBLIC - MICHIGAN  
WAYNE COUNTY  
MY COMMISSION EXPIRES 12/06/2020  
ACTING IN WAYNE COUNTY

104979

# INITIATION OF LEGISLATION

An initiation of legislation to legalize and regulate marihuana and hemp cultivation, production, testing, sale, distribution, possession, and use for medical and nonmedical purposes; to provide for licensing of certain marihuana establishments; to provide certain rights to persons with a doctor's recommendation for the use of marihuana; to allow an excise tax on marihuana transfers at the point of sale; to provide for the powers and duties of certain state and local governmental officers and agencies to authorize local units of government to adopt licensing, regulation or marihuana facilities and stores; and to require the promulgation of rules. This proposal is to be voted on in the November 8, 2016 General Election. THE FULL TEXT OF THE LEGISLATION TO BE INITIATED APPEARS ON THE REVERSE SIDE OF THIS PETITION.

We, the undersigned qualified and registered electors, residents in the county of Macatawa, State of Michigan, respectively petition for initiation of legislation.

**WARNING - A person who knowingly signs this petition more than once, signs a name other than his or her own, signs when not a qualified and registered elector, or sets opposite his or her signature on a petition, a date other than the actual date the signature was affixed, is violating the provisions of the Michigan election law.**

INDICATE CITY OR TOWNSHIP IN WHICH REGISTERED TO VOTE	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MO	DAY	YEAR
1. CITY OF <input checked="" type="checkbox"/> Berlin		Sean Myers	8618 Bomiea	48166	6	25	15
CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
3. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
4. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
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7. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
8. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
9. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							
10. CITY OF <input type="checkbox"/> TOWNSHIP OF <input type="checkbox"/>							

**CERTIFICATE OF CIRCULATOR**  
The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the city or township indicated preceding the signature, and the elector was qualified to sign the petition.

☐ If the circulator is not a resident of Michigan, the circulator shall make a cross or check mark in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the secretary of state or a designated agent of the secretary of state has the same effect as if personally served on the circulator.

**WARNING - A circulator knowingly making a false statement in the above certificate, a person not a circulator who signs as a circulator, or a person who signs a name other than his or her own as circulator is guilty of a misdemeanor.**

**CIRCULATOR - Do not sign or date certificate until after circulating petition.**

(Date) 09, 12, 2015

Nicholas T. Zettell  
(Printed Name of Circulator)

2251 Florian  
(City or Township, State, Zip Code)

Huntman, MI 48122  
(Complete Residence Address (Street and Number or Rural Route)) Do not enter a post office box

MI  
(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)

